



IFW

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 13, 2004

Signature:

Brent E. Matthias
(Brent E. Matthias)

Attorney Docket No.: 29337/PP509A
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Boyd Willat et al.

Application No.: 10/798,663

Filed: March 11, 2004

Art Unit: 3676

For: WRITING IMPLEMENT HAVING
DEFORMABLE GRIP

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Per the waiving of the requirement under 37 CFR 1.98 (a)(2)(i), submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003, copies of the U.S. references on the PTO/SB/08 are not attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Applicant believes that no fee is due at this time. However, the Director is hereby authorized to charge any fee(s) which should have been filed herewith to our Deposit Account No. 13-2855, under Order No. 29337/PP509A. A duplicate copy of this paper is enclosed.

Dated: July 13, 2004

Respectfully submitted,

By 

Brent E. Matthias

Registration No.: 41,974
MARSHALL, GERSTEIN & BORUN LLP
233 S. Wacker Drive, Suite 6300
Sears Tower
Chicago, Illinois 60606-6357
(312) 474-6300
Attorney for Applicant



PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/798,663
				Filing Date	March 11, 2004
				First Named Inventor	Boyd Willat
				Art Unit	3676
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	29337/PP509A

U.S. PATENT DOCUMENTS				
Examiner Initials	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number-Kind Code ² (if known)		
	**	141,287	07-29-1873	Ormdorff
	**	255,961	04-04-1882	Faber
	**	412,479	10-08-1889	Davis
	**	544,990	08-20-1895	Miller
	**	614,630	11-22-1898	Stewart
	**	624,853	05-09-1899	Oberbeck
	**	770,363	05-09-1899	Goldsmith
	**	782,388	02-14-1905	Goldsmith
	**	839,537	12-25-1906	Beamel
	**	1,868,441	07-19-1932	Colfelt
	**	2,205,769	06-25-14940	Sweetland
	**	2,236,194	03-25-1941	Lorber
	**	2,362,948	11-14-1944	Teague et al.
	**	2,845,047	07-29-1958	McKendree
	**	3,269,399	08-30-1966	Smith
	**	3,782,390	01-01-1974	Johnson
	**	3,863,271	02-04-1975	Maroney
	**	4,035,089	07-12-1977	Schwartz et al.
	**	4,044,625	08-30-1977	D'Haem et al.
	**	4,050,727	09-27-1977	Bonnes
	**	4,617,347	09-11-1979	Hoyle
	**	4,168,754	09-25-1979	Nyholm
	**	4,338,270	07-06-1982	Uffindell
	**	4,364,150	12-21-1982	Remington
	**	4,601,598	07-22-1986	Schwartz
	**	4,737,226	04-12-1988	Inoue
	**	4,719,063	01-12-1988	White
	**	4,911,569	03-27-1990	Hashimoto
	**	4,932,800	01-12-1990	Lin et al.
	**	4,934,024	06-19-1990	Sexton, I
	**	5,000,599	03-19-1991	McCall et al.
	**	5,050,289	09-24-1991	Uffindell
	**	5,159,717	11-03-1992	Drew et al.
	**	5,190,504	03-02-1993	Scatterday
	**	5,216,091	06-01-1993	Stern et al.
	**	5,336,352	08-09-1994	Tokura
	**	5,716,303	02-10-1998	Scatterday
	**	5,970,581	10-26-1999	Chadwick et al.
	**	5,987,656	11-23-1999	Kakutani
	**	6,447,190	09-10-2002	Kwitek
	**	6,648,535	11-18-2003	Ferrara, Jr.
	**	6,725,505	04-27-2004	Willat
	**	D338,915	08-31-1993	Willat
	**	D362,274	09-12-1995	Willat et al.
	**	D428,553	07-25-2000	Willat et al.
	**	D439,277	03-20-2002	Rosenbaum

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/798,663
				Filing Date	March 11, 2004
				First Named Inventor	Boyd Willat
				Art Unit	3676
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	29337/PP509A

	**	D440,106	04-10-2001	Weisz
	**	D448,805	10-02-2001	Willat et al.
	**	D451,549	12-04-2001	Willat et al.
	**	D474,809	05-20-2003	Willat et al.
		10/676,510		Willat
		10/798,663		Willat et al.

FOREIGN PATENT DOCUMENTS					
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	English-language translation
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)			
		DE 10059065	06/2002	Aherns et al.	Yes
		DE 1511325	07/1969	Zickwolff	Not Available
		DE 2157175	05/1973	Konig	Not Available
		DE 2162132	06/1973	Hubsch	Not Available
		DE 3406522	09/1985	Neige	Abstract only
		DE 29721565 U	03-1998	Gwozdz	Abstract only
		EP 0383685	08-1990	Mozayan	Not Available
		GB 1276100	06-1972	Palfreyman et al.	N/A

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. **CITE NO.: Those patent(s) or publication(s) which are marked with an double asterisk (**) next to the Cite No. are not supplied because they were previously cited by or submitted to the Office in a prior application relied upon in this application for an earlier filing date under 35 U.S.C. 120. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		SkyMall Catalog, Holiday Gift Guide 1999, 2 pages.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--